

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**BJ'S FLEET WASH, LLC,**

**Plaintiff,**

**vs.**

**CITY OF OMAHA; MATT KALCEVICH,  
BROOK BENCH, KARI VASQUEZ and  
STEVEN SLATER, in their individual  
capacities;**

**Defendants.**

**8:22CV131**

**AMENDED ORDER**

This matter is before the Court on Plaintiff's Motion to Amend Order to Release Judgment Proceeds ([Filing No. 104](#)). On March 8, 2023, the undersigned magistrate judge entered a Findings and Recommendation ([Filing No. 64](#)) recommending Dan Beckman, President of BMI Janitorial Group, be held in contempt of court until he pays a contempt sanction of \$3,885.00. The sanction was an award to Plaintiff for its reasonable attorney fees and costs incurred as a result of Mr. Beckman's failure to respond to a Rule 45(a) subpoena and Court's orders. ([Filing No. 64 at p. 7](#)). On March 29, 2023, Chief Judge Rossiter entered a Memorandum and Order ([Filing No. 74](#)) accepting the Findings and Recommendation, and ordering Mr. Beckman to pay into the Court the contempt sanction of \$3,885.00. Mr. Beckman paid the contempt fee of \$3,885 into the Court on August 2, 2023.

On September 18, 2023, the Court entered an Order directing the Clerk of Court to release the deposited funds in the amount of \$3,885.00 to Plaintiff's counsel of record. ([Filing No. 102](#)). However, due to a typographical error in Plaintiff's counsel's signature block, which the Court incorporated into its Order, the funds have not yet been released. Accordingly,

**IT IS ORDERED:**

1. Plaintiff's Motion to Amend Order to Release Judgment Proceeds ([Filing No. 104](#)) is granted.
2. The Clerk of Court is directed to release the deposited funds in the amount of \$3,885.00 to Plaintiff's counsel of record, Adam Sipple of Sipple Law, 12020 Shamrock Plaza, Suite 200, Omaha, Nebraska, 68154.

Dated this 3<sup>rd</sup> day of November, 2023.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge